

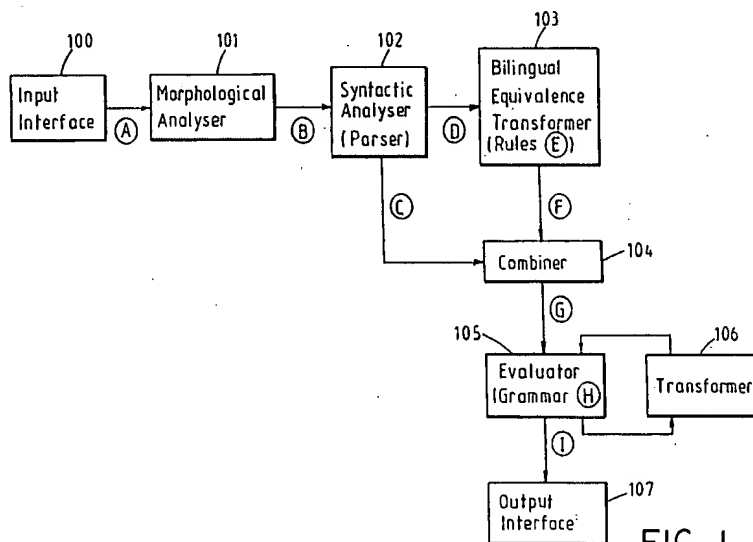
REMARKS

Claims 1-33 remain in the prosecution.

Rejections of the Claims**Rejections under 35 U.S.C. §102(e)**

In the Office Action, claims 1-5, 8, 9, 15, 18-21, 25, 27 and 28 were rejected under 35 U.S.C. §102(e) as being anticipated by Poznanski (US 5,848,385 or "Poznanski"). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

As evidenced by Poznanski FIG. 1 below (showing "a machine translation system constituting a preferred embodiment of the invention") and for the reasons discussed herein, Poznanski does not teach any of the elements of Applicant's independent claims 1, 15, & 27.



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Independent claims 1, 15, & 27 and their respective associated dependent claims recite the generation of an initial translation as an initial current target language translation. Poznanski does not teach the element, either expressly or inherently, of the generation of an initial translation as an initial current target language translation, and therefore does not anticipate independent claims 1, 15, & 27 and their respective associated dependent claims.

Instead of generating a translation, Poznanski teaches breaking the input text into morphemes and supplying the morphemes to a syntactic analyzer, which then applies rules of source language grammar to the morphemes (Column 3, lines 50-61). These grammatical rules describe grammatical relationships between the morphemes. A tree is then generated, as described in Poznanski that defines how the morphemes were combined in the source language. The morphemes and all the data associated with the morphemes are referred to as “signs.” (Column 3, lines 48-50). A transformer applies bilingual equivalence rules that transform the source language morpheme into an equivalent target language morpheme.

Thus, Poznanski separates input text into morphemes, which after a series of steps are translated into equivalent target language morphemes and corresponding grammatical data for the target language (Column 3, lines 48-58). After these steps, finally, a combiner combines the target language signs in an initial attempt to form the target language equivalent of the input text. (Column 3, lines 59-61) Therefore, Poznanski fails to teach or suggest “generating an initial translation as an initial current target language translation” and instead appears to teach dividing the input text into morphemes, which are assigned signs, which further upon combination yield the target language equivalent of the input text. The translation is not a word-for-word initial translation in Poznanski, but rather the result of intricate steps. Consequently, Poznanski does not teach the generation of an initial translation as an initial current target language translation.

Independent claims 1, 15, & 27 and their respective associated dependent claims recite applying one or more modification operators to the initial current target language translation to generate one or more modified target language translations. Poznanski does not teach the element, either expressly or inherently, of applying one or more modification operators to the initial current target language translation to generate one or more modified target language

translations, and therefore does not anticipate independent claims 1, 15, & 27 and their respective associated dependent claims.

The translation in Poznanski is the result of intricate steps that divide the input text into morphemes and signs that are combined to yield an initial attempt at the target language equivalent of the input text. The resulting linguistic structure is then supplied to an evaluator that evaluates the linguistic structure. (See Column 4, lines 1-5). Nowhere does Poznanski teach or suggest, either expressly or inherently, “applying one or more modification operators to the current target language translation to generate one or more modified target language translations.” Once the linguistic structure has been evaluated, Poznanski indicates that a transformer may transform the structure, with the hopes of improving upon the structure. However, this transformation, which occurs after the evaluation of the structure, does not generate one or more modified target language translations, nor are modification operators applied. As discussed herein, Poznanski instead teaches transforming the structure, not generating one or more modified target language translations. Thus, Poznanski cannot teach or suggest the element of applying one or more modification operators to the initial current target language translation to generate one or more modified target language translations.

Independent claims 1, 15, & 27 and their respective associated dependent claims recite determining whether one or more of the modified target language translations represents an improved translation in comparison with the initial current target language translation. Poznanski does not teach the element, either expressly or inherently, of determining whether one or more of the modified target language translations represents an improved translation in comparison with the initial current target language translation, and therefore does not anticipate independent claims 1, 15, & 27 and their respective associated dependent claims.

Instead, Poznanski teaches that an evaluation may be successful or unsuccessful. Unsuccessful evaluations result in passing the structure along to the transformer, as discussed herein, which transforms the parts of the structure that were unsuccessfully evaluated, while hopefully leaving the parts of the structure that were successfully evaluated untouched (Column 4, lines 7-15). Reevaluation is then performed by the evaluator (Column 4, lines 7-15). “Each

transformation should have the effect of improving the structure so that the structure converges on a correct target language translation.” (Column 4, lines 13-15). However, just because each transformation should have the effect of improving the structure does not mean that a determination whether one or more of the modified target language translations represents an improved translation in comparison with the current target language translation occurs. In fact, something that should have the effect is entirely different from determining whether an improvement has actually occurred. Nowhere does Poznanski teach or suggest a comparison. At most, Poznanski teaches that hopefully its transformer improves the structure or the portion of the structure that was unsuccessfully evaluated by the evaluator.

Further, in light of the fact that Poznanski lacks one or more modified target language translations, as discussed herein, and instead teaches transforming a portion of the structure deemed unsuccessfully evaluated, Poznanski lacks a required element in which to draw a comparison. Thus, Poznanski inherently cannot teach determining whether one or more of the modified target language translations represents an improved translation in comparison with the initial current target language translation. Therefore, Poznanski does not anticipate independent claims 1, 15, & 27 and their respective associated dependent claims.

Independent claims 1, 15, & 27 and their respective associated dependent claims recite the setting of a modified target language translation as the modified current target language translation. Poznanski does not teach the element, either expressly or inherently, of the setting of a modified target language translation as the modified current target language translation, and therefore does not anticipate independent claims 1, 15, & 27 and their respective associated dependent claims.

As discussed herein, Poznanski lacks applying one or more modification operators to the current target language to generate one or more modified target language translations (or the equivalent) and Poznanski fails to perform determining whether one or more of the modified target language translations represents an improved translation in comparison with the current target language translation (or the equivalent). Therefore, Poznanski lacks the required elements in which to make a comparison. Because Poznanski cannot make a comparison, Poznanski

cannot use the result of the comparison in which to set a modified target language translation. Indeed, Poznanski only teaches transforming the portions of the structure that were unsuccessful during evaluation. Poznanski teaches that the transformer effectively alters the parsing tree without destroying the parts of the structure that were evaluated as correct (Column 4, lines 1-23).

Further, transforming parts of the structure in Poznanski, whether done once or multiple times, is not equivalent to setting a modified target language translation as the current target language translation. In fact, transforming parts of the structure is the opposite of setting a modified target language translation, since a modified target language translation is never set, but rather parts of the same structure are transformed. Consequently, Poznanski inherently cannot teach the setting of a modified target language translation as the modified current target language translation.

Since Poznanski does not expressly or inherently teach the elements set forth in Applicant's independent claims 1, 15, & 27, Poznanski does not anticipate Applicant's dependent claims 2-5, 8-9, 15, 18-21, 25, 27 and 28. Applicant therefore respectfully requests that the Examiner withdraw the rejection of claims 1-5, 8-9, 15, 18-21, 25, 27 and 28 under 35 U.S.C. § 102(e).

Rejections under 35 U.S.C. §103(a)

Dependent claims 6, 7, 12-14, 16, 17, 22-24, 26, and 29-33 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Poznanski in view of Berger (US 6,304,841 or "Berger"), which purportedly properly incorporates Brown et. al (US 5,477,451 or "Brown").

Pursuant to MPEP §2143.03, "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art. If an independent claim is nonobvious under 35 U.S.C. 103(a), then any claim depending therefrom is nonobvious." (Internal citations omitted). Because Poznanski does not teach any of the

elements of Applicant's independent claims 1, 15, & 27, the Examiner respectfully has failed to satisfy this burden.

The Examiner's rejections of dependent claims 6, 7, 12-14, 16, 17, 22-24, 26, and 29-33 under 35 U.S.C. §103(a) are based on Poznanski. For the reasons discussed herein, Poznanski does not teach any of the elements of Applicant's independent claims 1, 15, & 27. Accordingly, the Examiner has not established a prima facie case of obviousness, because the Examiner has not shown that all the claim limitations have been taught or suggested by the prior art, namely Poznanski.

Even if claims 1, 15, & 27 were to be rejected under 35 U.S.C. §103(a), Applicant disagrees that one of ordinary skill in the art at the time the invention was made would have been motivated to modify Poznanski in view of Berger or Brown. Per MPEP §2143.01, "...it is necessary to ascertain whether or not the reference teachings would appear to be sufficient for one of ordinary skill in the relevant art having the reference before him to make the proposed substitution, combination, or other modification." In re Linter, 458 F.2d 1013, 1016, 173 USPQ 560, 562 (CCPA 1972). One of ordinary skill in the art having Poznanski before them would not be motivated to combine Berger or Brown to make the Examiner's proposed modifications.

There is therefore no basis to support a rejection of any of Applicant's claims under 35 U.S.C. §103(a). The Examiner is therefore respectfully requested to withdraw the rejection of Applicant's dependent claims 6, 7, 12-14, 16, 17, 22-24, 26, and 29-33 under 35 U.S.C. §103(a).

CONCLUSION

Based on the foregoing remarks, Applicant believes the application is in condition for allowance. If the Examiner has any questions regarding the case, the Examiner is invited to contact Applicant's undersigned representative.

Respectfully submitted,

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